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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FAUSTO PINA,

Defendant.

CASE NO. 1:21-CR-00070-ADA-BAM

STIPULATION TO VACATE STATUS
CONFERENCE DATE, SET THE MATTER FOR
TRIAL, AND EXCLUDE TIME PERIODS UNDER
THE SPEEDY TRIAL ACT; ORDER

DATE: October 3 2023
TIME: 8:30pm
COURT: Hon. Ana de Alba

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for jury trial on October 3 2023.
2. The parties hereby request that the Court vacate the current jury trial date and trial confirmation hearing and set this matter for a change of plea on September 11, 2023. Time has already been excluded through October 3 2023 under 18 U.S.C. § 3161(h)(7)(A), B(iv). The parties further request the trial confirmation date of September 12, 2023 be vacated as well.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government represents that the discovery associated with this case has been provided. The government is aware of its ongoing discovery obligations.
 - b) The parties have reached a plea agreement.

c) The parties consulted with the Court and September 11, 2023 is the earliest available date that comports with the Court's schedule and defense counsel's availability.

d) The government agrees with vacating the trial and trial confirmation, and setting the case for a change of plea on September 11, 2023.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 25, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ KIMBERLY A. SANCHEZ
KIMBERLY A. SANCHEZ
Assistant United States Attorney

Dated: July 24, 2023

/s/ MEGHAN MCLOUGHLIN
MEGHAN MCLOUGHLIN
Counsel for Defendant
FAUSTO PINA

ORDER

The trial and trial confirmation currently set for October 3 and September 12, 2023 are vacated. The matter is hereby scheduled for a change of plea September 11, 2023.

Time has already been excluded through October 3, 2023 pursuant to 18 United States Code Section 3161(h)(7)(A), B(iv), and that time exclusion stands through September 11, 2023. The Court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Dated: July 26, 2023


UNITED STATES DISTRICT JUDGE